IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.4217 OF 2004
IN
CRIMINAL APPLICATION NO.946 OF 2005

The State of maharashtra ... Applicant

V/s.

Ashok Anna Kale ... Respondent

Mrs.U.V. Kejriwal, APP, for Applicant

CORAM: **V.G. PALSHIKAR &**
SMT.NISHITA MHATRE, JJ.

DATED: **MAY 5, 2005**

P.C.:

. Application for condonation of delay allowed for reasons mentioned therein.

2. Application for leave to appeal against the order dated 29.11.2002 taken up for consideration on merits. Perused the impugned order passed by the learned Chief Additional Magistrate, Pune. The learned Judge has on appreciation of evidence on record held that the prosecution has failed to prove any misappropriation of property or criminal breach of trust at the hands of the accused. The conclusions are based on evidence. It cannot, therefore, be said to be an order which is perverse or illegal. Hence, leave to

appeal is rejected.